

# **BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS**

## **REGULAR MEETING AGENDA**

**FEBRUARY 20, 2008**

**7:30 PM COURTHOUSE COUNCIL CHAMBERS**

**ROLL CALL**\_\_\_\_\_

**PRAYER**\_\_\_\_\_

**APPROVAL OF THE MINUTES OF THE  
REGULAR MEETING OF FEBRUARY 6, 2008**\_\_\_\_\_

**ITEMS NOT ON THE AGENDA –  
SUSPENSION OF THE RULES**\_\_\_\_\_

**PUBLIC COMMENT ON ANY  
PUBLIC MATTER NOT ON THE AGENDA**\_\_\_\_\_

**CHIEF EXECUTIVE’S REPORT**\_\_\_\_\_

### **SECTION I PUBLIC HEARING**

FOR THE PURPOSE TO SOLICIT COMMENTS REGARDING AN AMENDMENT TO THE FY 07-08 BUDGET BY INCREASING THE HEALTH DEPARTMENT’S BUDGET AUTHORITY WITH UNANTICIPATED REVENUE TO BE RECEIVED FROM THE MONTANA STATE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES ADDICTIVE AND MENTAL DISORDERS DIVISION FOR THE DEVELOPMENT AND IMPLEMENTATION OF ENVIRONMENTAL PREVENTION WITH AN EMPHASIS ON YOUTH (Communication No. 08-92 being held in Committee of the Whole) Proof of publication

### **SECTION II PUBLIC HEARING**

FOR THE PURPOSE TO SOLICIT COMMENTS REGARDING AN AMENDMENT TO THE FY 07-08 BUDGET BY INCREASING THE HEALTH DEPARTMENT’S BUDGET AUTHORITY WITH UNANTICIPATED REVENUE TO BE RECEIVED FROM THE MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE IMPLEMENTATION OF THE MONTANA COMPREHENSIVE CANCER

CONTROL PLAN. (Communication No. 08-93 being held in Committee of the Whole)  
Proof of publication

### **SECTION III**

### **INVITATION FOR BIDS**

SEALED BIDS FOR THE PREPARATION OF THREE BRIDGE  
INSTALLATION LOCATIONS, REMOVAL AND DISPOSITION OF  
EXISTING STREAM CULVERTS AND PLACEMENT OF THREE 24 FEET  
WIDE BY 36 FEET LONG BRIDGES OVER BLACKTAIL CREEK IN  
THOMPSON PARK. (Communication No. 08-89 being held in Committee of the Whole)  
Proof of publication

### **SECTION IV**

### **INFORMATIONAL REPORT COMMUNICATION NO. 08-99**

Mary M. McMahon, Clerk and Recorder – Election Administrator, requesting  
time on the agenda of February 20, 2008 to provide Council information of the  
2008 elections and office staffing issues. (Communication No. 08-99 being held in  
Committee of the Whole.)

### **SECTION V**

### **INFORMATIONAL REPORT COMMUNICATION NO. 08-120**

George Everett, Executive Director, National Folk Festival, requesting time on  
the 2/20/08 agenda to provide an update on the planning to bring the National  
Folk Festival to Butte July 11-13, 2008.

### **SECTION VI**

### **INFORMATIONAL REPORT COMMUNICATION NO. 08-124**

Jeff Amerman, Finance and Budget Director, requesting time on the 2/20/08  
Agenda to make an informational presentation.

### **SECTION VII**

### **CONSENT AGENDA**

- A.**
  - 1. COMMITTEE OF THE WHOLE MEETING REPORT
  - 2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
  - 3. JUDICIARY COMMITTEE MEETING REPORT
  - 4. PUBLIC WORKS COMMITTEE MEETING REPORT

### **B. PETITIONS**

- 1. 08-2 John Harrington, Building Official, submitting petition on behalf  
of CPLT to close and vacate the street known as Old Mercury  
Street. **Recommendation: schedule public hearing.**
- 2. 08-3 John Harrington, Building Official, submitting petition on behalf  
of Jack and Helen McCloskey to close and vacate a portion of

Hancock Street. **Recommendation: schedule public meeting.**

**C. COMMUNICATIONS**

1. 08-100 James E. Leber, regarding information on County tax revenue deficiency. **Recommendation: refer to County Assessor for examination and report back to council and hold in Committee of the Whole**
2. 08-101 John M. Moodry, Supervisor Butte-Silver Bow Weed Department, requesting authorization for Chief Executive to sign updated Weed Management Plan. **Recommendation: concur and authorize Chief Executive to sign and place on file.**
3. 08-102 Ellen Crain, Archives, requesting authorization for Chief Executive to enter into a contract with Past Perfect Software Co. **Recommendation: concur and place on file.**
4. 08-103 Linda Sajor, Director MIS, requesting time on the 3/12/08 Agenda for Fox Lawson Representatives to present its final report of the Classification and Compensation Study. **Recommend: schedule Presentation and hold in Committee of the Whole**
5. 08-104 John P. Walsh, Sheriff, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
6. 08-105 Lori Maloney, Clerk of Court, requesting council schedule a public hearing for 2/27/08 for amending the budget to create budgetary authority in the Clerk of the Court budget. **Recommendation: schedule public hearing and hold in Committee of the Whole.**
7. 08-106 Jeffrey L. Miller and Tim Clark, requesting authorization for Chief Executive to enter into agreement with Personnel Plus Consulting Services, Inc. **Recommendation: concur and place on file.**
8. 08-107 William P. Joyce, Attorney at Law, requesting Council take action to insure that the benefits of 3 captains in the Sheriff's department be maintained by passing a resolution. **Recommendation: refer to Personnel Committee.**
9. 08-108 John P. Walsh, Sheriff, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**

10. 08-113 John VanDaveer, Director Public Works Department, regarding bid award recommendation for 2008 asphalt supply. **Recommendation: concur and place on file.**
11. 08-114 John VanDaveer, Director Public Works Department, regarding bid award recommendation, supplying three vehicle bridges (Thompson Park). **Recommendation: concur and place on file.**
12. 08-115 Daniel J. Harrington, Harrington Surgical Supply, requesting permission to place an awning on the south side of the building for Harrington Surgical Supply. **Recommendation: concur and place on file.**
13. 08-116 Karen Byrnes, Community Development Department, requesting authorization for Chief Executive to enter into agreement with Western Montana Mental Health Center for a new psychiatric crisis home in uptown Butte. **Recommendation: concur and place on file.**
14. 08-118 Lee Phillips, Library Director, requesting authorization for Chief Executive to sign maintenance agreement with Empire Office Machines for photocopier at the Library. **Recommendation: concur and place on file.**
15. 08-119 Lee Phillips, Library Director, requesting authorization for Chief Executive to sign maintenance agreement with Gates PAC-HUG. **Recommendation: concur and place on file.**
16. 08-121 Karen Byrnes, Director Community Development Department, requesting authorization for Chief Executive to sign Montana Historic Preservation Office Grant Agreement. **Recommendation: concur and place on file.**
17. 08-122 Jeff Amerman, Director Finance and Budget Department, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
18. 08-123 Cindy McIlveen, Planning Department, requesting authorization for Chief Executive to sign contract modification for the Department of Natural Resources and Conservation Renewable Resources Grant RGP-08-0150. **Recommendation: concur and place on file.**
19. 08-125 John C. VanDaveer, Public Works Director, requesting authorization for Chief Executive to execute four agreements with the Montana Department of Transportation. **Recommendation:**

**concur and place on file.**

20. 08-126 Jim Fay, District 3 Commissioner, requesting council consider enacting the enclosed “courtesy Resolution” in support of Mariah’s Challenge. **Recommendation: concur, introduce resolution in regular fashion, refer to County Attorney and place on file.**
21. 08-127 Mary M. McMahon, Clerk and Recorder – Election Administrator requesting authorization for Chief Executive to enter into contract with Montana Standard for election ads. **Recommendation: concur and place on file.**
22. 08-128 Karen Byrnes, Community Development Director, requesting authorization to issue Developer’s Packet for the construction of a titanium and metal casting facility to be located in the TIFID #2. **Recommendation: concur and place on file.**
23. 08-129 Karen A. Price, High Star Consulting, Inc., regarding scoping meeting scheduled for 3/5/08 in the Courthouse Building. **Recommendation: note and place on file.**

## **SECTION VIII**

## **COMMUNICATIONS TO BE READ & ACTED UPON**

1. 08-109 Paul Babb, Chief Executive, requesting concurrence in appointment of Kelly J. Lee as a probationary entry level fire fighter.
2. 08-110 Paul Babb, Chief Executive, requesting concurrence in appointment of Zachary W. Osborne as a probationary level fire fighter.
3. 08-111 Paul Babb, Chief Executive, requesting concurrence in in appointment of Kurt Sheehan as a probationary entry level fire fighter.
4. 08-112 Paul Babb, Chief Executive, requesting concurrence in appointment of Kahl Clark as a probationary entry level fire fighter.
5. 08-117 Bruce W. Meyer, Department of Environmental Quality, regarding application for a motor vehicle wrecking facility license by Rob Gee for 705 E. Iron St.

## **SECTION IX**

### **ORDINANCES AND RESOLUTIONS – REFERRED TO JUDICIARY**

#### **1. COUNCIL RESOLUTION NO. 08-7**

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING BUTTE-SILVER SPECIAL TRUST FUND RESERVES TO THE GENERAL FUND IN THE BUTTE-SILVER BOW PLANNING DEPARTMENT TO COMPLETE CAPITAL IMPROVEMENTS TO THE ALUMNI COLISEUM ON THE MONTANA TECH CAMPUS ON BEHALF OF THE AMERICAN LEGION BASEBALL ORGANIZATION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

## **SECTION X**

### **ORDINANCES AND RESOLUTIONS – FINAL READING**

#### **1. COUNCIL BILL NO. 08-1 ORDINANCE NO. 08-1**

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 195 AND CHAPTER 15.10 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “FIRE CODE” AND AMENDING SECTION 15.10.060, B-SB MC; RESTRICTING THE USE AND DISCHARGE OF FIREWORKS TO THE SAME PERIODS WHEN FIREWORKS CAN BE SOLD IN THE STATE OF MONTANA ; PROVIDING FOR EXCEPTIONS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

#### **2. COUNCIL BILL NO. 08-2 ORDINANCE NO. 08-2**

AN ORDINANCE AMENDING SUBSECTION 9.01 OF SECTION 4 OF BUTTE-SILVER BOW ORDINANCE NO. 204 AND SECTION 10.32.010(I) OF THE BUTTE-SILVER BOW MUNICIPAL COD (B-SB MC) ENTITLED “STOP SIGNS”; PROVIDING THAT TRAFFIC PROCEEDING ALONG IRON STREET SHALL STOP BEFORE ENTERING THE INTERSECTION OF IRON STREET AND NEVADA STREET AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

#### **3. COUNCIL BILL NO. 08-3 ORDINANCE NO. 08-3**

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 345 AND CHAPTER 2.20 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “LAW ENFORCEMENT DEPARTMENT”; AMENDING

SECTIONS 2.20.280, 2.20.290 AND 2.20.300, B-SB MC; CHANGING THE DIVISIONS IN THE LAW ENFORCEMENT DEPARTMENT TO DETENTION, OPERATIONS AND INVESTIGATION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**4. COUNCIL RESOLUTION NO. 08-5**

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED REVENUE TO THE BUTTE-SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO THE CITY AND COUNTY OF BUTTE-SILVER BOW TO BE EXPENDED ON BULLETPROOF VESTS FOR LAW ENFORCEMENT OFFICERS PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION XI ORDINANCES AND RESOLUTIONS -  
SUSPENSION OF THE RULES**

**1. COUNCIL RESOLUTION NO. 08-8**

A RESOLUTION REQUESTING PROSECUTORIAL ASSISTANCE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION XII CALENDAR OF OTHER MEETINGS AND EVENTS**

Feb. 27	LEPC	Noon	1 <sup>st</sup> Floor Conference Room
Feb. 27	Port of Montana	Noon	Hub Center
Feb. 27	TIFID	11:30 AM	Business Development Center
Feb. 27	Urban Revitalization	9 AM	Chief Executive's Conference Room
Feb. 28	Business Development Center	10:00 AM	Business Development Center
Mar. 3	Airport Authority	Noon	Bert Mooney Airport
Mar. 4	Historic Preservation Commission	Noon	Health Department
Mar. 4	Weed Board	7 PM	Weed Department
Mar. 5	Butte Aids Support Services	7 PM	Community Center
Mar. 5	Fire Advisory Council	5 PM	Chief Executive's Conference Room
Mar. 5	Health Department	7 PM	Health Department
Mar. 5	TIFID Board	11:30 AM	Business Development Center
Mar. 6	Civic Center	5 PM	Civic Center Hospitality Room

**ADJOURN**\_\_\_\_\_

# **COMMITTEE OF THE WHOLE MEETING REPORT**

## **FEBRUARY 13, 2008**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Committee of the Whole Committee, respectfully recommend as follows:

### **SECTION I REQUEST FOR PROPOSALS**

FOR THE PURPOSE OF RECEIVING PROPOSALS TO UPGRADE THE EXISTING ANALOG CCTV SYSTEM TO A DIGITAL SYSTEM AND FOR PROFESSIONAL MAINTENANCE SERVICES FOR SUCH SYSTEM LOCATED IN THE BUTTE-SILVER BOW DETENTION CENTER  
(Communication 08-52 being held in Committee of the Whole) **Proof of publication was noted and placed on file.**

Captain George Skuletich opened the following proposals:

1. Professional Systems Technology, Inc.  
Sandy, UT  
\$65,001 equipment  
\$300.00 maintenance agreements
2. Simplex Granel LP  
Helena, MT  
\$48,382 equipment  
\$7,912.11 maintenance agreements
3. Fox Alarm & Technology  
Butte, MT  
\$49,750 equipment  
\$2,250 maintenance agreements

**It was moved by Commissioner Lee, seconded by Commissioner Coleman and carried by a unanimous verbal vote to refer the three bid proposals be referred to the Butte Silver Bow Law Enforcement Agency and MIS Committee for review and report back to council.**

### **SECTION II INVITATION FOR BIDS**

SEALED BIDS FOR THE TITLE AND LIEN SEARCH FOR 2008 COUNTY TAX DEED PROCESS. (Communication No. 08-64 being held in Committee of the Whole) **Proof of publication was noted and placed on file.**



Patsy Coates opened the following bids:

1. Summit Valley Title                      \$100.00 per parcel
2. Montana Abstract & Title Co.        \$200.00 per parcel

**It was moved by Commissioner Lee, seconded by Commissioner Coleman and carried with a unanimous verbal vote to accept the low bid by Summit Valley Title at \$100.00 per parcel.**

### **SECTION III                                      INFORMATIONAL REPORT COMMUNICATION NO. 08-98**

Jim Smitham, Executive Director BLDC, requesting time on the 2/13/08 agenda to make a semi-annual report on Economic and Community Development activities of the BLDC.

Jim Smitham, Executive Director of BLDC came to the microphone and passed around some information for each commissioner. The document handed out was the new marketing book put together to help sell our community. We use it for taking to meetings, for recruitment trips, for meetings with clients that may come into our community. The hospital uses it for helping recruit physicians. The Chamber uses for any inquiries as far as any relocation packets.

The BLDC applied for and received a \$450,000 economic development trust fund grant for Seacast. The monies will be used for helping offset the cost of relocating the titanium equipment that they have purchased for their new processing facility located out in the Port of Montana Business Development district. They also received another USDA Rural Development Intermediary lending program loan for \$750,000. This is the seventh one they have received.

He then responded to questions from the commissioners

### **SECTION IV                                      COMMUNICATION NO. 07-259**

Jean Pentecost, Water Utility Division, requesting authorization for Chief Executive to enter into agreement with Richardson Family Trust for a land exchange. ***Committee recommends that Communication No. 07-259 be held in abeyance.***

### **SECTION V                                      COMMUNICATION NO. 669**

Donald L. Kronenberger, Sr., requesting council grant annexation of the Fish Creek/Little Fish Creek drainage strip off Highway 41 into the Jefferson Valley Rural Fire District. ***Committee recommends that Communication No. 0669 be held in abeyance.***

**SECTION VI****COMMUNICATION NO. 08-41**

John P. Walsh, Sheriff, requesting time on the 2/6/08 agenda for confirmation of Joshua Stearns as a permanent member of the Butte-Silver Bow Law Enforcement Department. *Committee recommends that Communication No. 08-41 be placed on file.*

**SECTION VII****COMMUNICATION NO. 08-48**

Jon C. Sesso, Planning Director/Superfund Coordinator, requesting time on the 2/6/08 agenda to conduct a public hearing for unanticipated Revenue to complete improvements to Alumni Coliseum on the Tech Campus. *Committee recommends that Communication No. 08-48 be placed on file.*

**SECTION VIII****COMMUNICATION NO. 08-52**

John P. Walsh, Sheriff, requesting time on 2/13/08 agenda to open RFP documents for upgrade to existing analog CCTV system to a digital system and professional maintenance service. *Committee recommends that Communication No. 08-52 be placed on file.*

**SECTION IX****COMMUNICATION NO. 08-64**

Patsy Coates, Delinquent Property Specialist, requesting time on the 2/13/08 agenda to open bids for the title and lien search for 2008 County Deed Process. *Committee recommends that Communication No. 08-64 be placed on file.*

**SECTION X****COMMUNICATION NO. 08-75**

Robert A. Macioroski, Director, requesting council direct County Attorney to prepare a resolution and deed for transfer of co-owned property. *Committee recommends that Communication No. 08-75 be held in abeyance*

**SECTION XI****COMMUNICATION NO. 08-79**

Karen Byrnes, Community Development Department Director, requesting time on the 2/27/08 agenda to conduct a public hearing on an amendment to the 7/08 budget for authority for the expenditure of grant funds to the Greenway Service District. *Committee recommends that Communication No. 08-79 be held in abeyance.*

**SECTION XII****COMMUNICATION NO. 08-80**

Karen Byrnes, Community Development Department Director, requesting time on the 2/27/08 agenda to conduct a public hearing on amendment to the 07-08 budget

for expenditure of grant funds to the Montana Historic Preservation Office for the Do-It-Yourself Historic Preservation Workshop Series. *Committee recommends that Communication No. 08-80 be held in abeyance.*

**SECTION XIII                      COMMUNICATION NO. 08-81**

Karen Byrnes, Community Development Department Director, requesting time on the 2/27/08 agenda to conduct a public hearing on amendment to the 07-08 budget for expenditure of grant funds to the Montana Historic Preservation Office for the Drumlummon views Butte-Anaconda Issue. *Committee recommends that Communication No. 08-81 be held in abeyance.*

**SECTION XIV                      COMMUNICATION NO. 08-82**

Karen Byrnes, Community Development Department Director, requesting time on the 2/27/08 agenda to conduct a public hearing on amendment to the 07-08 budget for expenditure of grant funds to the Environmental Protection Agency for the Butte Native Plant Propagation Nursery Program. *Committee recommends that Communication No. 08-82 be held in abeyance.*

**SECTION XV                      COMMUNICATION NO. 08-85**

John C. VanDaveer, Public Works Director, requesting time on the 2/6/08 agenda to conduct a bid opening for supply three identical vehicle bridges for Thompson Park and asphalt supply. *Committee recommends that Communication No. 08-85 be placed on file.*

**SECTION XVI                      COMMUNICATION NO. 08-89**

John VanDaveer, Public Works Director, requesting time on 2/20/08 to conduct a bid opening for preparation of streambanks and installation of bridges for Thompson Park. *Committee recommends that Communication No. 08-89 be held in abeyance.*

**SECTION XVII                      COMMUNICATION NO. 08-90**

John Walsh, Sheriff, regarding DUI Task Force Annual Report/Plan. *Committee recommends that Communication No. 08-90 be held in abeyance.*

**SECTION XVIII                      COMMUNICATION NO. 08-92**

Rick Larson, Director of Public Health, requesting time on 2/20/08 agenda to conduct a public hearing to hearing to hear comments for unanticipated revenue for the Health Department. *Committee recommends that Communication No. 08-92 be held in abeyance.*

**SECTION XIX****COMMUNICATION NO. 08-93**

Rick Larson, Director of Public Health, requesting time on 2/20/08 agenda to conduct a public hearing for unanticipated revenue for implementation of comprehensive cancer prevention and early detection of cancer. *Committee recommends that Communication No. 08-93 be held in abeyance.*

**SECTION XX****COMMUNICATION NO. 08-94**

Jim Fay, Commissioner District #3, requesting council take action concerning Economic Mill Levy for the Primary Election Ballot on 6/3/08. *Committee recommends that the matter be placed on the ballot in June in a two part question. Request the County Attorney to prepare a resolution and place Communication No. 08-94 be placed on file.*

**SECTION XXI****COMMUNICATION NO. 08-98**

Jim Smitham, Executive Director BLDC, requesting time on the 2/13/08 agenda to make semi-annual report on Economic and Community Development Activities of the BLDC. *Committee recommends that Communication No. 08-98 be placed on file.*

**SECTION XX II****COMMUNICATION NO. 08-99**

Mary M. McMahon, Clerk and Recorder, requesting time on the 2/20/08 agenda to provide information on the 2008 agenda to provide information on 2008 elections and office staffing issues. *Committee recommends that Communication No. 08-99 be placed on file.*

**FINANCE & BUDGET COMMITTEE MEETING  
REPORT  
FEBRUARY 13, 2008**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBER OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Finance and Budget Committee, respectfully recommend as follows:

**SECTION I** **COMMUNICATION NO. 08-66**

John P. Walsh, Sheriff, requesting approval of line item budget transfers.  
***Committee recommends that Communication No. 08-66 be approved and placed on file.***

**SECTION II** **COMMUNICATION NO. 08-67**

John P. Walsh, Sheriff, requesting approval of line item budget transfers.  
*Committee recommends that Communication No. 08-67 be approved and placed on file.*

**SECTION III**

Linda Sajor, Director MIS, requesting approval of line item budget transfers.  
*Committee recommends that Communication No. 08-68 be approved and placed on file.*

**SECTION IV**

Roger Ebner, DES Director, requesting approval of line item budget transfers.  
***Committee recommends that Communication No. 08-83 be approved and placed on file.***

## SECTION V COMMUNICATION NO. 08-91

Bill Melvin, Civic Center Manager, requesting increase in operating cash at the Civic Center and also additional temporary operating cash. ***Committee recommends that Communication No. 08-91 be approved and placed on file.***

**SECTION VI****COMMUNICATION NO. 08-96**

Bill Melvin, Civic Center Manager, requesting approval of line item budget transfers. *Committee recommends that Communication No. 08-96 be approved and placed on file.*

**SECTION VII****EXPENDITURE APPROVAL**

February 6, 2008	\$490,867.87
February 13, 2008	\$312,670.34

**Committee approves both of the above expenditures.**

# JUDICIARY COMMITTEE MEETING REPORT

## FEBRUARY 13, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

We, your Judiciary Committee, respectfully recommend as follows:

**SECTION I**

Charlie O’Leary, Commissioner District 5, requesting Council refer to Judiciary Committee for the purpose of declaring Gas Tax Road 235, (A/K/A the East Portion of Forest Service Road 84) as a county road. ***Committee recommends that Communication No. 06-531 be held in abeyance.***

SECTION II

COUNCIL BILL NO. 08-1  
ORDINANCE NO. 08-1

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 195 AND CHAPTER 15.10 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "FIRE CODE" AND AMENDING SECTION 15.10.060, B-SB MC; RESTRICTING THE USE AND DISCHARGE OF FIREWORKS TO THE SAME PERIODS WHEN FIREWORKS CAN BE SOLD IN THE STATE OF MONTANA ; PROVIDING FOR EXCEPTIONS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 08-1, Ordinance No. 08-1 be placed on final reading and passed.*

### SECTION III

AN ORDINANCE AMENDING SUBSECTION 9.01 OF SECTION 4 OF BUTTE-SILVER BOW ORDINANCE NO. 204 AND SECTION 10.32.010(I) OF THE BUTTE-SILVER BOW MUNICIPAL COD (B-SB MC) ENTITLED “STOP SIGNS”; PROVIDING THAT TRAFFIC PROCEEDING ALONG IRON STREET SHALL STOP BEFORE ENTERING THE INTERSECTION OF IRON STREET AND NEVADA STREET AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 08-2, Ordinance No. 08-2 be placed on final reading and passed*

## SECTION IV

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 345  
AND CHAPTER 2.20 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-

SB MC) ENTITLED “LAW ENFORCEMENT DEPARTMENT”; AMENDING SECTIONS 2.20.280, 2.20.290 AND 2.20.300, B-SB MC; CHANGING THE DIVISIONS IN THE LAW ENFORCEMENT DEPARTMENT TO DETENTION, OPERATIONS AND INVESTIGATION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 08-3, Ordinance No. 08-3 be placed on final reading and passed.*

## **SECTION V**

### **COUNCIL RESOLUTION NO. 08-5**

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED REVENUE TO THE BUTTE-SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO THE CITY AND COUNTY OF BUTTE-SILVER BOW TO BE EXPENDED ON BULLETPROOF VESTS FOR LAW ENFORCEMENT OFFICERS PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution be placed on final reading and passed.*



# PUBLIC WORKS COMMITTEE MEETING REPORT

## FEBRUARY 13, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Public Works Committee, respectfully recommend as follows:

**SECTION I**

**COMMUNICATION NO. 08-95**

Virginia Hanson, Risk Management Coordinator, requesting traffic study be conducted by MDOT on Continental Drive from East Lake to Four Mile Road. ***Committee recommends that Communication No. 08-95 be held in abeyance.***

**SECTION II** **COMMUNICATION NO. 08-56**

Virginia Hanson, Risk Management Coordinator, requesting traffic study be conducted at the intersection of Utah and Marcia. ***Committee recommends that Communication No. 08-56 be held in abeyance.***